

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

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Secretary to the Commission

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OPINION 3

The status of publications dated 1758

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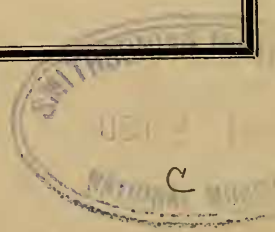
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION OF THE COMMISSION AT THE TIME OF THE ADOPTION OF *OPINION 3*

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Executive Secretary : Dr. Charles Wardell Stiles (U.S.A.).

Recording Secretary : Professor F. C. von Machrenthal (Germany).

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OPINION 3.

THE STATUS OF PUBLICATIONS DATED 1758.

SUMMARY.—The tenth edition of Linnaeus's *Systema Naturae* was issued very early in the year 1758. For practical reasons this date may be assumed to be 1st January 1758, and any other zoological publication bearing the date 1758 may be construed as having appeared subsequent to 1st January. In so far as the date is concerned, all such publications may therefore be construed as entitled to consideration under the Law of Priority.

Editorial Notes by Francis Hemming, Secretary to the International Commission on Zoological Nomenclature.

NOTE 1.

This *Opinion* was unanimously adopted by the International Commission on Zoological Nomenclature at their Session held at Boston in August 1907.

2. The following eight (8) Members of the Commission were present at that Session and accordingly voted in favour of this *Opinion* :—

Blanchard; von Graff; Hoyle; Jordan (D. S.); Osborn; Stejneger; Stiles; and Studer.

3. The following seven (7) Members of the Commission were not present at the Boston Session of the International Commission and are not recorded as having voted on the present *Opinion* :—

Dautzenberg; Horst; Jentink; Joubin; Maehrenthal; Schulze; and Wright.

NOTE 2.

This *Opinion* was first published on 18th October 1907 in *Science*, New York 26 : 522. It was published also in the report submitted by the International Commission on Zoological Nomenclature to the Seventh International Congress of Zoology which appeared in the *Proceedings* of the Congress issued in 1912. In the meanwhile it had been reprinted in July 1910 (*Smithsonian*

Publication 1938 : 6) when the Smithsonian Institution first undertook to publish the *Opinions* rendered by the International Commission on Zoological Nomenclature.

NOTE 3.

This *Opinion* gives the Commission's interpretation of an issue raised by Article 26 of the International Code. At the time when this *Opinion* was rendered (August 1907) Article 26 (Official English Translation ¹) read as follows :—

Article 26. The tenth edition of Linnaeus's *Systema Naturae*, 1758, is the work which inaugurated the consistent general application of binary nomenclature in zoology. The date 1758, therefore, is accepted as the starting point of zoological nomenclature and of the Law of Priority.

2. The foregoing text of Article 26 contained a slight ambiguity, in that it did not define the status to be accorded to a work published in 1758 prior to the publication of the 10th edition of the *Systema Naturae* of Linnaeus. In other words, this Article left it doubtful whether the starting point of zoological nomenclature and of the Law of Priority was (a) the 1st January 1758 or (b) the date (whatever it might be) in 1758 on which the 10th edition of the *Systema Naturae* was published. The second of these alternatives was the most natural interpretation to be given to the words used in Article 26; but, if this interpretation was the correct one, a practical difficulty would arise in determining the status of other systematic works published in 1758 (of which there were several), since it would often be a matter of difficulty—not to say impossibility—to determine whether a particular work was published in 1758 before or after the date of publication of the 10th edition of the *Systema Naturae*.

3. This, therefore, was the problem which faced the Commission in preparing *Opinion 3*. As will be seen from the text adopted by the Commission for this *Opinion*, they decided that the 10th edition of the *Systema Naturae* should be deemed to have been published on 1st January 1758 and in consequence that any work published in 1758 should be regarded as available for considera-

¹ The substantive (and therefore, in case of dispute, the only authoritative) text of the International Code is the French text. The English, German, and Italian texts have been approved by the International Congress of Zoology as Official Translations only.

tion under the Law of Priority, i.e. every new name published in any such work should be entitled to be taken into consideration under Article 25 of the Code.

4. This question was further considered by the Commission twenty-three years later at their Session held during the meeting of the Eleventh International Congress of Zoology at Padua in 1930. The Commission then proposed an amendment to Article 26 designed to state in express terms in that Article the substance of the interpretation which they had given in *Opinion 3*. This proposal was accordingly embodied in paragraph 19 of the report which the Commission unanimously agreed to submit to the Eleventh International Congress. The Commission's report was unanimously approved by the Section on Nomenclature of the Congress at its joint meeting with the International Commission held at Padua on 10th September 1930. The Commission's report was thereupon submitted to the Eleventh International Congress of Zoology by which it was unanimously approved and adopted at the final Concilium Plenum of the Congress at Padua.

5. The Official English Translation of the text of Article 26 as amended at Padua in 1930 reads as follows :—

Article 26. The tenth edition of Linné's *Systema Naturae*, 1758, is the work which inaugurated the consistent general application of binary nomenclature in zoology. For practical purposes the date 1st January 1758 is accepted in these rules as the starting point of zoological nomenclature and of the Law of Priority.

6. It will be noted that, in order to prevent the revised text of Article 26 from becoming unduly long, two points of detail dealt with in *Opinion 3* were not expressly incorporated in the new text of this Article but were left to be governed by *Opinion 3*, which accordingly was not revoked, as it would have been if the whole of its contents had been transferred to Article 26. The two points in question are the directions :—

- (i) that the date of publication of the 10th edition of the *Systema Naturae* of Linnaeus should be assumed to be 1st January 1758; and
- (ii) that any other zoological work bearing the date " 1758 " should be construed as having appeared subsequent to 1st January 1758.

In respect of these two matters, therefore, *Opinion* 3 remains the authoritative interpretation of Article 26 of the Code.

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on Zoological Nomenclature*

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9th January 1944.

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the Commission for deliberation and decision ;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above : and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

Three Parts have so far been published : Part 1 (introductory, including an account of the functions and powers of the Commission and a summary of the work so far achieved) ; Part 2 (relating to the financial position of the Commission) ; Part 3 (containing the official records of the decisions taken by the Commission at their meeting at Lisbon in 1935).

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

Volume 1 will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-12 (containing *Declarations* 1-9 and *Opinions* 1-3) have now been published.

Volume 2 commences with *Declaration* 10 and *Opinion* 134. Parts 1-25 (containing *Declarations* 10-12 and *Opinions* 134-155) have so far been published. The titles of these *Opinions* are given on the wrappers to Parts 1 and 2 of the *Bulletin*. Other Parts will be published shortly.

AN URGENT APPEAL FOR A FUND OF £1800 TO ENABLE THE INTERNATIONAL COMMISSION TO CONTINUE ITS WORK

The International Commission on Zoological Nomenclature urgently appeal for grants to the above Fund to Museums, Research Institutes and other Institutions concerned with any branch of zoology ; to Learned Societies and Associations concerned with any aspect of zoology ; to Institutions and Learned Societies in the fields of Agriculture, Horticulture, Medicine and Veterinary Science, all of whom have a direct interest in that portion of the work of the Commission which is concerned with the stabilisation of Zoological Nomenclature ; to University and other Departments engaged in the teaching of zoology as being directly interested to secure stability in the scientific nomenclature used in biological text-books ; and to every individual zoologist who may be in a position to contribute to the funds of the Commission. Full particulars of the purposes for which the above Fund is required are given in Part 2 of the *Bulletin of Zoological Nomenclature*.

Contributions of any amount, however small, will be most gratefully received. They should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7. Bankers' drafts, cheques, and Postal Orders, should be made payable to the "International Commission on Zoological Nomenclature" and crossed "Account payee. Coutts & Co."